

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GP 37214  
02-24-02

Applicant: Robert Germick, et al.

Serial No.: 09/904,794

Filed: July 12, 2001

For: FOOD PRODUCTS, ESPECIALLY  
REFRIGERATED YOGURT  
PRODUCTS, AND APPARATUS  
AND METHODS FOR THEIR  
PRODUCTION

Docket No.: 5468 (formerly 9649/108 )



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TECHNOLOGY CENTER R3700

Group Art Unit: 3721

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Commissioner of Patents  
Washington, DC 20231

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COMMISSIONER OF PATENTS AND TRADEMARKS,  
WASHINGTON, D.C. 20231, ON OCTOBER 29, 2001 (37 CFR  
1.8a). *Ala Kamato*

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Please consider the enclosed prior art listed on the further enclosed Form PTO-1449.

Attention is also directed to copending U.S. Patent Appln. No. 09/835,664 filed April 16, 2001 and entitled FOOD PACKAGE CONTAINING FOOD PRODUCTS IN SEPARATE COMPARTMENTS SEPARATED BY A BURST SEAL AND METHOD OF MAKING and the references cited therein.

Favorable consideration and allowance of the present application are respectfully requested.

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Respectfully submitted,

Robert Germick, et al.

By Alan Kamrath

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DATED: October 29, 2001

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2 Attorney Docket Number 5468

Complete if Known

Technology Center	Application Number	09/904,794
	Filing Date	July 12, 2001
	First Named Inventor	Germick, et al.
	Group Art Unit	3721
	Examiner Name	

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		Des 386,398		Davis	11-18-1997	
		Des. 399,512		Davis et al.	10-13-1998	
		Re. 27,302		Schneider et al.	02-29-1972	
		Re. 34,905		Ausnit	04-18-1995	
		2,227,236		Vogt	12-31-1940	
		2,828,591		Bossche	04-01-1958	
		3,256,673		Tew et al.	06-21-1966	
		3,269,842		Mayer et al.	08-30-1966	
		3,286,433		Johnson et al.	11-22-1966	
		3,452,505		Hoag	07-01-1969	
		3,482,373		Morris	12-09-1969	
		3,581,457		Gerlach et al.	06-01-1971	
		3,599,538		Piazze	08-17-1971	
		3,657,856		Planner	04-25-1972	
		3,760,559		Heinzer	09-25-1973	
		3,861,121		Monsees	01-21-1975	
		3,921,367		Beaurain	11-25-1975	
		3,924,383		Heger	12-09-1975	
		3,932,680		Egli et al.	01-13-1976	
		4,035,984		Gerlach et al.	07-19-1977	
		4,117,647		Rossi	10-03-1978	
		4,223,043		Johnson	09-16-1980	
		4,225,623		Stussi	09-30-1980	
		4,235,934		Egli et al.	11-25-1980	
		4,410,549		Baker	10-18-1983	
		4,480,751		Lueptow	11-06-1984	
		4,430,349		Mulone et al.	02-07-1984	
		4,485,613		Saur	12-04-1984	

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### FOREIGN PATENT DOCUMENTS

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

Examiner Signature Date Considered

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<sup>2</sup> Unique citation designation number. <sup>3</sup> See attached Kinds of U.S. Patent Documents. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 2 Attorney Docket Number 5468

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		Number	Kind Code <sup>2</sup> (if known)			
		4,552,613		Auer	11-12-1985	
		4,676,051		Hoskinson et al.	06-30-1987	
		4,797,289		Reddy	01-10-1989	
		4,837,035		Baker et al.	06-06-1989	
		4,837,036		Baker et al.	06-06-1989	
		4,913,561		Beer	04-03-1990	
		4,947,621		Christine et al.	08-14-1990	
		4,952,414		Kaufman et al.	08-28-1990	
		4,964,263		Ballestrazzi et al.	10-23-1990	
		5,037,550		Driessen et al.	08-06-1991	
		5,118,202		Bruno	06-02-1992	
		5,155,979		McDonald	10-20-1992	
		5,231,817		Sadler	08-03-1993	
		5,235,794		Center	08-17-1993	
		5,378,483		Fazio et al.	01-03-1995	
		5,435,143		Heinrich	07-25-1995	
		5,447,036		Heinrich	09-05-1995	
		5,540,035		Plahm et al.	07-30-1996	
		5,568,729		Heinrich et al.	10-29-1996	
		5,596,867		Davis	01-28-1997	
		5,713,186		Bruhn	02-03-1998	
		5,784,863		Davis	07-28-1998	
		5,822,958		Davis	10-20-1998	
		6,006,501		Davis et al.	12-28-1999	
		6,235,320		Daravargas et al.	05-22-2001	

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
		JP	64-16553		Orii, et al.	01/20/89		
		JP	87-190043		Arai	08/20/87		

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